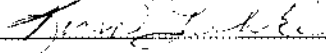


REPORT

DATE: September 23, 2004
TO: Administration Committee and Regional Council
FROM: Jim Gosnell
SUBJECT: 05/06 Work Program Priorities

Executive Director Approval:



Recommended Action: Approve recommended priorities for next year.

Summary: At last month's meeting the Administration Committee requested we identify what the required work is that SCAG must accomplish with an estimate of funds needed for that work. This is to allow you the opportunity to better link priorities to funds that might be available after addressing the requirements. Staff has prepared a summary of that information and a recommendation for priorities for next year. There is estimated \$19,100,000 (we have not received an estimate from CALTRANS) available in our Consolidated Planning Grant (SCAG's primary source of funding each year) and the staff estimates that about \$17,500,000 is needed for the required activities. Staff is recommending priority be given to data/modeling, financial planning, and further refinement of the 2% strategy for additional work. These priorities should be a guide for the remainder of the funds. (See Attachment 1 for Priority Methodology)

Background:

SCAG's work program must address several federal and state statutory and regulatory requirements. As the MPO, there are three primary products required: A Regional Transportation Plan (RTP), a Transportation Improvement Program (TIP), and an Overall Work Program (OWP). Recently an additional requirement was placed on SCAG to adopt a "Regional Architecture" for "Intelligent Transportation System". SCAG is responsible for public involvement and consultation for the planning activities in which it is involved and to address environmental justice requirements. In addition there are specifications for monitoring certain activities (vehicle miles of travel, pavement conditions, etc.). There are specific federal regulations and guidelines implementing these basic statutory transportation requirements.

There are also state statutory requirements and regulations which govern our work. These are generally similar to federal requirements for the RTP and TIP. There are other transportation requirements such as those regarding our role in Congestion Management Programs, Aviation Planning, and Ground Access (there are also federal requirements related to aviation issues). We also must meet CEQA requirements for the Plan.

SCAG must also address state and federal requirements related to air quality planning as well as conformity requirements for transportation. SCAG has responsibilities under state and federal Executive Orders regarding intergovernmental review/coordination of major projects. Finally, SCAG has requirements related to housing (RHNA) and waste management planning. SCAG must maintain adequate databases, analytical tools and administrative processes to ensure we carry out these responsibilities successfully.

Attached ("Attachment 2") is a matrix providing citations and references for your information.

The bulk of SCAG's measures are for transportation and transportation related planning activities and their administrations. There are specific requirements and guidelines for these primary products (RTP, TIP and OWP). This is where we typically spend the majority of the budget.

General
Estimate of Expenditures
Required Work

| | |
|---------------------------------|------------------------------|
| Transportation Plan | 3,000,000 |
| Environmental (EIR) | 1,000,000 |
| TIP | 900,000 |
| DATA | 3,200,000 |
| MODELING (GIS) | 4,300,000 |
| Conformity/Air Quality | 1,200,000 |
| MONITORING | 700,000 |
| Public Involvement/Consultation | 1,600,000 |
| OWP (Including Contribution) | <u>1,600,000</u> |
| | (CPG funds) 17,500,000 |
| Aviation | (separate FAA grant) 700,000 |
| Housing Related Work | ? |

The required work is done primarily by SCAG with help from consultants and subregions.

These estimates include the matching requirements. It is very early in the process to include these as final figures. For example, the last 2 years we have had to absorb a reduction in CPG funds after the year began. The Aviation grant is not a certainty. Staff will also be in the process of preparing the key work for the next revision of the RTP and that dictates more funds for that effort (e.g. more resources for subregions to help on policy input or certain data requirements).

Priorities for 05/06: See Attached

Fiscal Impact: The action will help staff develop next year's budget within available measures and could provide direction for additional grant proposals for certain activities.

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Fiscal Year 2004/2005 OWP Priorities

Based on feedback from the Administrative Policy Committee and Regional Council, the SCAG management staff met to try to further refine the priority recommendations for FY 2004/2005 and determine a methodology for evaluating our core activities and trying to prioritize them. In trying to evaluate the priorities, we were trying to determine what activities would require additional emphasis/ resources, accomplish the greatest good, and prepare for possible situations that SCAG may be forced to address in the coming Fiscal Year. (See "Table 1" on next page.)

Methodology:

The left side of the chart depicts possible scenarios that SCAG may be faced with during FY 2004/2005. The row at the top depicts thirteen (13) core activities that SCAG performs. Some of these are required activities and some are not. For each scenario, an X was placed in box of those activities that would need to be emphasized if that particular scenario were to occur. The size of the X is related to the proportionate emphasis that would need to be placed on that activity.

Results and Recommendation:

This resulted in three (3) core activities and one external activity that the staff feels need to be emphasized as priorities for the coming FY 2004/2005 to keep the Agency moving forward and deal with any scenario or combination of scenarios that might occur. In addition to the three (3) priorities listed below, SCAG also needs to be aware that legislative actions will be occurring and will probably need to be addressed regardless of the scenario. The three (3) priorities are:

- 2% Strategy
- Financial Strategy
- Data/ Modeling

"Table 1"

Priority Matrix

| Scenarios | Leg. Actions | Corridors | Comp Plan | Water Quality | Air Quality | 2% Strategy | Aviation | Goods Movement | Financial Strategy | MagLev | Housing | Data/Modeling | Monitoring |
|---|-------------------|-----------|-----------|---------------|-------------|-------------------------------|----------|----------------|---|--------|---------------------------------------|---------------|------------|
| TIP Amendment • RTP Amendment • Conformity Lapse | X (Protection) | | | | X | X | X | X | X (STS/ITS/Traditional Funding) | X | X | X | x |
| Governor's Initiatives • CPR • State Policy Changes • RHNA | X | X | X | X | X | X (Increase Demo Projects) | X | X | X (All types of funding) | X | X (Accelerate 20yr land inventory) | X | X |
| Financial Chaos • No Federal Re-authorization • Continued shortfall in state budget | X | X | X | X | X | X | X | X | X (More intense than conformity lapse) | X | X | X | X |
| Status Quo • Continued Growth Patterns | X | X | X | X | X | X | X | X | X | X | X | X | X |

“Attachment 2”

State/Federal Codes and Regulations Guiding SCAG Activities

| Action/Program | State Code/Regulation | Federal Code/Regulation |
|---|---|--|
| Overall Work Program, Grant Administration, Contracts, MPO Certification | | |
| Overall Work Program development and review, including: -OWP -OWPA -Master Fund Transfer Agreement -Quarterly Progress and Expenditure Reports -Mid-Year Reviews -Closeout/Year-End Package | Caltrans guidelines: -MPO OWP Guidance (Apr. 16, 2002) -OWPA Fund Instructions (Jul. 3, 2001) -Regional Planning Handbook (Feb. 4, 2002) -RTP Guidelines (Dec. 16, 1999) -Intermodal Planning Group Themes memorandum (May 15, 2002) | -Code of Federal Regulations Title 23 (Highways) Section 420.101 et seq. and Section 450.314 (The OWP is California's version of the Federal Unified Planning Work Program) |
| Planning fund eligibility | -Public Utilities Code Section 99233.2 (re: TDA Local Transportation Fund) -Public Utilities Code Section 99311 (re: Public Transportation Account) | -US Code Title 23 (Highways) Sections 104(f) (re: FHWA PL funds) and 505 (re: FHWA SP&R funds) -US Code Title 49 (Transportation) Section 5338 (re: FTA Section 5303 and SP&R funds) -US Code Title 49 (Transportation) Section 5303 (re: grants for study and evaluation) -US Code Title 49 (Transportation) Section 5313(b) (re: state assistance to MPOs) -FTA Circular 8100.1B – Program Guidance and Application Instructions for Metropolitan Planning Program Grants (Oct. 25, 1996) -FTA Circular 8200.1 – Program Guidance and Application Instructions for State Planning and Research Program Grants (Dec. 27, 2001) |

State/Federal Codes and Regulations Guiding SCAG Activities

| Action/Program | State Code/Regulation | Federal Code/Regulation |
|--|---|--|
| <ul style="list-style-type: none"> -Grant administration and accounting practices -Indirect Cost Negotiation Agreement and Cost Allocation Plan -Annual Fiscal and Compliance Audit Report -State Controllers Report | <ul style="list-style-type: none"> -State Administrative Manual Caltrans guidelines: <ul style="list-style-type: none"> -Local Program Procedures (LPPs) -Local Assistance Program Guidelines (Mar. 14, 2002) -MPO OWP Guidance (Apr. 16, 2002) -OWPA Fund Instructions (Jul. 3, 2001) -Regional Planning Handbook (Feb. 4, 2002) -Public Utilities Code Section 99406 -Government Code Section 53891 | <ul style="list-style-type: none"> -Code of Federal Regulations Title 48 (Federal Acquisition Regulations System) Part 1 et seq. -Code of Federal Regulations Title 49 (Transportation) Part 18 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments) -US Code Title 31 (Money and Finance) Section 7501 et seq. -OMB A-87 Cost Principles for State, Local, and Indian Tribal Governments -OMB A-102 Grants and Cooperative Agreements with State and Local Governments -OMB A-133 Audits of States, Local Governments, and Non-Profit Organizations -FTA Circular 5010.1C - Grant Management Guidelines (Oct. 1, 1998) |
| Non-discrimination in federally-assisted programs; disadvantaged business enterprise; equal employment opportunity | Caltrans Civil Rights Program | <ul style="list-style-type: none"> -US Code Title 42 (Public Health and Welfare) Section 2000(d) et seq. (known as Title VI of the Civil Rights Act of 1964); -Title VI Assurance under US Code Title 23 (Highways) Section 324 and US Code Title 29 (Labor) Section 794; -US Code Title 42 (Public Health and Welfare) Section 12101 et seq. (known as the Americans with Disabilities Act of 1990); -Code of Federal Regulations Title 49 (Transportation) Parts 21, 26, 27, 37, and 38 -Presidential Executive Order 11246, as amended |

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State/Federal Codes and Regulations Guiding SCAG Activities

| Action/Program | State Code/Regulation | Federal Code/Regulation |
|--|---|---|
| Procurement of goods and services | <ul style="list-style-type: none"> -State Contracting Manual (Sep. 14, 2001) -Caltrans Service Contracts Manual (Mar. 20, 2000) -Local Assistance Procedures Manual (Dec. 17, 2001) -Consultant Selection Guidebook (Apr. 27, 2001) | <ul style="list-style-type: none"> -Code of Federal Regulations Title 48 (Federal Acquisition Regulations System) Part 1 et seq. -FTA Circular 4220.1D - Third Party Contracting Requirements (amended Aug. 4, 1998) |
| Contract provisions – lobbying | | -US Code Title 31 (Money and Finance) Section 1352 |
| Contract provisions – Clean Air Act/Clean Water Act requirements | | <ul style="list-style-type: none"> -US Code Title 33 (Navigation and Navigable Waters) Section 1368 -US Code Title 42 (Public Health and Welfare) Section 7606 -Code of Federal Regulations Title 23 (Highways) Section 633.211 -Presidential Executive Order 11738 |
| MPO Certification | | -Code of Federal Regulations Title 23 (Highways) Section 450.334 |
| Joint powers agreements | -Government Code Section 6502 et seq. | |
| Regional Transportation Planning | | |
| RTP | <ul style="list-style-type: none"> -Government Code Section 65080 et seq.; -Regional Planning Handbook (Feb. 4, 2002) -RTP Guidelines (Dec. 16, 1999) | <ul style="list-style-type: none"> -US Code Title 23 (Highways) Sections 134 and 135 -US Code Title 49 (Transportation) Sections 5303-5306; -Code of Federal Regulations Title 23 (Highways) Section 450.300 et seq. |
| RTP PEIR | <ul style="list-style-type: none"> -Public Resource Code Section 21000 et seq. (CEQA); -Public Resource Code Section 21002.1 & 21080(d) (EIR); -Code of Regulations Title 14 (Natural Resources), Div. 6, Ch. 3 (CEQA Guidelines) | |

State/Federal Codes and Regulations Guiding SCAG Activities

| Action/Program | State Code/Regulation | Federal Code/Regulation |
|---|---|---|
| RTIP | -Government Code Section 65082; -Government Code Section 14527 | -US Code Title 23 (Highways) Sections 134 and 135 -US Code Title 49 (Transportation) Sections 5303-5306; -Code of Federal Regulations Title 23 (Highways) Section 450.324 et seq. |
| Apportionment of CMAQ and RSTP funds to the county transportation commissions | -Streets and Highways Code Sections 182.6 and 182.7 | -FHWA Memorandum: Guidance on CMAQ Under the TEA-21 (Apr. 28, 1999) |
| Congestion Management System | -Government Code Section 65088.5 -Government Code Section 65089 et seq. (re: review of County CMPs) | -US Code Title 23 (Highways) Section 134 -US Code Title 49 (Transportation) Section 5305 -Code of Federal Regulations Title 23 (Highways) Sections 450.320 and 500.109 |
| Air Quality Planning | | |
| Assist with regional air quality planning | -Health and Safety Code Section 40460 (SCAQMP: conduct regional demographic projections integrating land use, housing, employment, and transportation program measures and strategies; analyze & provide emission data) | -US Code Title 42 (Public Health and Welfare) Section 7504 |
| Conformity to SIP (RTP and RTIP) | | -US Code Title 42 (Public Health and Welfare) Section 7506(c); -Code of Federal Regulations Title 40 (Protection of Environment) Section 93.100 et seq. |
| Transportation Control Measures | -Health & Safety Code Section 40717 (known as the California Clean Air Act) | -US Code Title 42 (Public Health and Welfare) Section 7408; -Code of Federal Regulations Title 40 (Protection of Environment) Part 93 |

State/Federal Codes and Regulations Guiding SCAG Activities

| Action/Program | State Code/Regulation | Federal Code/Regulation |
|---|--|---|
| Intergovernmental Review | | |
| Intergovernmental Review and Areawide Clearinghouse | <ul style="list-style-type: none"> -Public Resources Code Sections 21083 and 21087 -Code of Regulations Title 14 (Natural Resources), Div. 6, Ch. 3, Section 15206 (CEQA Guidelines) -Governor's Executive Order D-24-83 (re: review of EIRs prepared for projects of regional significance to determine their consistency with regional plans) | -Presidential Executive Order 12372 (re: intergovernmental review of programs proposed for federal financial assistance and direct development activities) |
| Interagency Consultation | <ul style="list-style-type: none"> -Government Code Section 65070 -Public Utilities Code Section 130000 et seq. (specifically Section 130059, also known as AB1246) | <ul style="list-style-type: none"> -US Code Title 23 (Highways) Section 134 -Code of Federal Regulations Title 23 (Highways) Part 450 -Code of Federal Regulations Title 40 (Protection of Environment) Section 93.105 |
| Dispute Resolution | -Government Code Section 66030 et seq. | |
| Environmental Justice and Public Participation | | |
| Environmental Justice | -Government Code Section 65040.12 (defines environmental justice; directs the California Office of Planning and Research to develop guidelines for city and county general plans) | <ul style="list-style-type: none"> -US Code Title 42 (Public Health and Welfare) Section 2000d et seq. (known as Title VI of the Civil Rights Act of 1964); -US Code Title 42 (Public Health and Welfare) Section 12101 et seq. (known as the Americans with Disabilities Act of 1990); -Presidential Executive Order 12898; -US DOT Environmental Justice Order (1997); -FHWA Order 6640.23 |
| Public Participation (RTP, RTIP) | -Government Code Section 65090 | <ul style="list-style-type: none"> -US Code Title 23 (Highways) Sections 134 and 135 -US Code Title 49 (Transportation) Sections 5303-5306 and 5323; -Code of Federal Regulations Title 23 (Highways) Section 450.316 -Code of Federal Regulations Title 40 (Protection of Environment) Section 93.156 |

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State/Federal Codes and Regulations Guiding SCAG Activities

| Action/Program | State Code/Regulation | Federal Code/Regulation |
|--|--|---|
| Regional Housing Needs Assessment | | |
| Regional Housing Needs Assessment | -Government Code Section 65584 et seq. | |
| Waste Management | | |
| Areawide Waste Treatment Management Plan (Section 208) | | -US Code Title 33 (Navigation and Navigable Waters) Section 1288 (known as Section 208 of the Federal Water Pollution Control Act) |
| Regional Hazardous Waste Management Plan | -Health and Safety Code Section 25135.3 | |
| Aviation Planning | | |
| RTP Airport Ground Access | -Government Code Section 65081.1 | -Code of Federal Regulations Title 23 (Highways) Section 450.316 |
| California Aviation System Plan | -Public Utilities Code Sections 21701-06 | |
| Clean Cities and eCommute | | |
| Clean Cities | | -The Clean Cities Program was established in 1994 by the U.S. Department of Energy (DOE) and designed to support locally based government/industry voluntary partnerships in the expanded use of vehicles operating on alternative fuels. |
| eCommute | | -eCommute is the result of a Congressional Act (Public Law 106-69, Oct. 1999) that proposed pilot programs to measure the effectiveness of an emissions trading incentive for businesses to implement telework programs. The EPA, South Coast Air Quality Management District (SCAQMD), Southern California Association of Governments (SCAG) and Southern California Economic Partnership, are bringing this innovative, incentive-based pilot program to interested employers in this region. |

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